



PATENT  
Customer No. 22,852  
Attorney Docket No. 9146.0001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
RAGHAVAN, Sreen et al. ) Group Art Unit: 2611  
Application No.: 09/965,242 ) Examiner: WILLIAMS, Lawrence B.  
Filed: September 26, 2001 )  
For: LOW COMPLEXITY HIGH-SPEED ) Confirmation No.: 3308  
COMMUNICATIONS TRANSCEIVER )

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the Commissioner is hereby authorized to charge the fee of \$180.00 as specified by Section 1.17(p) to Deposit Account No. 06-0916.

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003) that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although Applicants are not representing that the Office Actions in the co-

pending applications are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed the substantive Office Actions and Amendment filed in co-pending applications on the attached Form PTO/SB/08 and have enclosed copies of those documents as well.

Copies of the listed non-patent literature documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 18, 2006

By: 

Gary J. Edwards  
Reg. No. 41,008

<b>Express Mail Label No. EV 901562378 US</b>
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

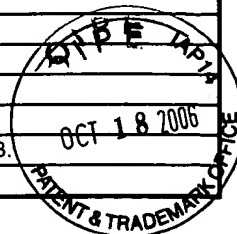
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**Complete if Known**

Application Number	09/965,242
Filing Date	September 26, 2001
First Named Inventor	RAGHAVAN, Sreen
Art Unit	2611
Examiner Name	WILLIAMS, Lawrence B.
Attorney Docket Number	9146.0001-01

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.****FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Response to Office Action mailed September 12, 2006, in U.S. Application No. 09/904,432 (Attorney Docket No. 9146.0001-00).	
		Response to Second Examination Report for EP Application No. 02 748 158.9, dated September 12, 2006 (Attorney Docket No. 9146.0001-00155).	
		Final Office Action dated June 13, 2006, in U.S. Application No. 10/071,771 (Attorney Docket No. 9146.0001-02).	
		Response to Office Action mailed August 1, 2006, in U.S. Application No. 10/071,771 (Attorney Docket No. 9146.0001-02).	
		Preliminary Amendment dated October 18, 2006, in U.S. Application No. 10/454,382 (Attorney Docket No. 9146.0005-00).	

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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